

RESOLUTION 23-067

EXPIRING RESOLUTION PROCESS

Introduced by: Thomas Huth, MD

Action: Adopted

Whereas, in 1997 the ISMA House of Delegates (HOD) adopted a policy (Resolution 1997-21) that any resolution adopted by the HOD will become null, void and of no effect if not re-proposed and readopted within ten (10) years from the effective date of the adoption of the resolution and the HOD must be notified of those resolutions subject to re-adoption at the annual meeting at which they shall be considered; and

Whereas, this policy and process was codified into the ISMA Bylaws (Section 3.020701(e)); and

Whereas, the current expiring resolution process consists of ISMA staff notifying the ISMA membership (including delegates) of the resolutions that are scheduled to expire that year in advance of the resolution filing deadline; and

Whereas, the current expiring resolution process has sometimes taken unnecessary time during prior conventions, for instance when reintroduced resolutions have already been addressed, or the process has created confusion, such as when expiring resolutions are reintroduced with substantive changes; and

Whereas, in 2022 the HOD adopted Resolution 22-20 directing the ISMA Board of Trustees (“BOT”) to “study alternative ways to efficiently and effectively address sunseting resolutions, report back to the 2023 HOD and, if appropriate, introduce a resolution at the 2023 convention for consideration by the House of Delegates;” and

Whereas, the BOT delegated the study to the ISMA Commission on Legislation (COL); and

Whereas, a special subcommittee of the COL reviewed ISMA’s current policy and process as well as considered input from other state medical associations and the American Medical Association and submitted a written study report to the BOT summarizing its findings and its suggestions for how to improve ISMA’s expiring resolution process; and

Whereas, the BOT has reviewed and approved the COL subcommittee's report and recommendations, which are embodied in this resolution; therefore, be it

RESOLVED, that the ISMA procedure regarding the disposition of expiring resolutions be constituted as follows:

1. The ISMA President will form an ad hoc committee of at least five ISMA members, at least three of whom are current or former members of the COL, to review expiring resolutions ("Committee");
2. The current ISMA President, immediate Past President and Speaker of the House are ex-officio, non-voting members. The Committee will review those resolutions and generate recommendations as follows:
 - a. Recommend Not Re-adopt (sunset)
 - b. Recommend Re-adopt
 - c. Recommend New Resolution
3. The committee will provide a rationale for each of its recommendations. For example:
 - a. Recommend Allow to Expire: Resolutions in this category may have already been achieved, be covered by other active resolutions, conflict with other, more recent resolutions, or seem no longer to be applicable.
 - b. Recommend Re-adopt: Resolutions in this category continue to be timely and relevant policy issues; and do not require substantive revisions.
 - c. Recommend New Resolution: Resolutions in this category may require substantive revisions to maintain their timeliness or relevance;
4. The Committee will notify the ISMA membership that the expiring resolutions and the committee's recommendations are available and publish the list, recommendations and rationale via the ISMA Pulse online no less than thirty (30) days prior to the resolution filing deadline.
5. ISMA Members will be able to react to the committee's recommendations on ISMA Pulse during a one-month comment period.
6. After the close of the comment period, the Committee will review the feedback received on ISMA Pulse and will finalize its recommendations in the form of a final recommendations report which lists the resolutions the committee recommends readopting, not readopting, and replacing with a new resolution.
7. ISMA members and the House of Delegates can use the final recommendations report to determine next steps, as follows:

- a. Re-adopts - The committee will reintroduce the resolutions it recommends readopting in the form of a consent calendar that will be presented at the opening session of the House of Delegates. If any member of the House of Delegates disagrees with readopting any of the resolutions on the consent calendar, they can move for its extraction and it will be discussed at reference committees. No debate will occur at this session of the HOD. All other resolutions that are recommended for readoption and which are not extracted will be adopted without discussion during the first session of the HOD and will not be further discussed during the reference committees. (Note: This streamlines current process for resolutions that do not necessitate discussion at the reference committees but preserves the current right for someone to have any resolution discussed at the reference committee.)
- b. Not re-adopt – If any ISMA member wishes to reintroduce a resolution that the committee did not recommend readopting, that member may do so by the resolution filing deadline. (Note: This is the same as current process)
- c. Replace with a New Resolution – While the committee may recommend that a resolution needs to be replaced with a new resolution (e.g., needs substantive changes), the committee will not introduce any such new resolutions. Any member of ISMA may introduce new resolutions by the resolution filing deadline. (Note: This is the same as current process)

RESOLVED, that to enable the expiring resolutions committee to reintroduce expiring resolutions for readoption by consent calendar, the ISMA amend its bylaws as follows:

3.020701 Resolutions and Proposals

(e) Resolution Expiration

Any resolution adopted by the House of Delegates shall expire on November 1 following the tenth anniversary of its adoption or its subsequent re-adoption. Prior to each annual meeting, delegates shall be notified of all resolutions that will expire in that calendar year pursuant to this section, in sufficient time to permit submission of a resolution for re-adoption. Nothing in this section shall restrict the power of the House of Delegates to rescind or amend any resolution in force at any time. Notwithstanding any other sections in these Bylaws, if an ad hoc committee appointed by the ISMA President to review expiring resolutions recommends readopting any expiring resolutions, such committee will have the sole authority to reintroduce the resolutions in the form of a consent calendar that will be presented at the opening session of the House of Delegates during the annual Convention. If any member of the House of Delegates disagrees with readopting any of the resolutions on the consent calendar, they can move for its extraction and it will be discussed at reference committees. No debate will occur at this House of Delegates session. All other resolutions that are recommended for readoption and which are not extracted from the consent calendar will be adopted

without discussion during the first session of the House of Delegates and will not be further discussed during the reference committees.